

**PROGRAMMATIC REGULATIONS WORKSHOP  
DRAFT REPORT  
October 9, 2001**

**A. INTRODUCTION**

The purpose of this workshop was to allow the Water Resources Advisory Commission (WRAC) to play a meaningful and constructive role in the development of the Comprehensive Everglades Restoration Plan (CERP) Programmatic Regulations by identifying key policy issues associated with Programmatic Regulations. The facilitated portion of the meeting was designed to define the scope of the work that needs to be accomplished by the Commission and develop potential options for addressing each of the issues. The workshop was not meant to identify individual member opinions and/or preferences.

This document reports on the results of the facilitated session and documents the proceedings of that portion of the meeting. A copy of the minutes is attached.

**B. WORKSHOP RESULTS**

The following seven groups of Programmatic Regulations issues resulted from the facilitated portion of the workshop. The group determined that the list of issues reflected in this section pertain to Programmatic Regulations.

After the categories were created and before further detailed discussion of them, members were provided an opportunity to comment on the issues which had been separated for future discussion. Their individual thoughts are included in the comment section following each of the lists and do not represent the consensus of the group.

The group did not have enough time to complete the day's agenda and did not identify options for handling any of the issues nor spend any time identifying what should be the next steps in this process.

**1. INTENT LANGUAGE**

**A. Issues**

- Aspirational goals in the intent section of regulations (*The following items were used as examples of aspirational goals and do not reflect the consensus of the group*):
  - Intent language of 80% of new water to be available for natural system.
  - Intent language regarding 50% of restoration by 2010.

**B. Comments**

- *Define what "new" water means under section of Intent Language.*
- *Include aspirational goals. Reason: Congress expects. (How can you get somewhere if you don't know where you're going).*
- *Need a binding document for multi-stakeholders to express aspirational goals.*
- *Intent of regulation important.*
- *Intent should be restoration of ecosystem.*
- *Uncomfortable with specific numbers.*
- *Clear outcome intent language. One option is Memorandum of Understanding (MOU) instead of 63 agreements.*
- *This area needs more fleshing out. Continue with the entire commission.*

- *Read over the intent language in the Governor's Commission for a Sustainable South Florida (GCSSF) document.*  
**Specific to "Shared Adversity"**
- *Shared Adversity will probably get played out in operations realm.*
- *Programmatic Regulations establishes a requirement that issues of shared adversity be defined for any given event.*
- *Reservations / allocation are one and the same with shared adversity.*
- *Would quantities of water be further refined/defined as you go along?*
- *Addressed at Reservations & Project Implementation Reports (PIR).*
- *GCSSF (2<sup>nd</sup> page) – Make sure whatever is decided on shared adversity is implemented.*
- *Should show up in operation manuals.*

## 2. AMOUNT OF DETAIL IN PROGRAMMATIC REGULATIONS

### A. Issues

- Programmatic Regulations should provide guidance & consistency to CERP implementation.
- Programmatic Regulations should outline the process involved.
- Scope of regulation.
- Accountability.
- Periodic review and consultation with agencies after PIR completion.

### A. Comments

- *"Periodic review in consultation with..." Cuts across to all other categories.*
- *Programmatic Regulations should guide process and should be consistent.*
- *Process is required – be specific.*
- *Where do we want to be in 35-40 years?*
  - *As inclusive as possible now.*
  - *Don't shy away from specificity.*
- *Outline process with accountability built in.*
- *Part 4 of WRDA Programmatic Regulations outlines amount of detail, but need to add feedback process.*
- *What is process for any portion – give enough detail so that can be answered? [Process established to ensure a healthy natural system].*
- *Part 3A of WRDA – doesn't talk about "process." It talks about specifics.*
  - *Performance goals not just a process*

## 3. SCOPE AND TIMING OF RESERVATION/ALLOCATION

### A. Issues

- How to identify water for the natural system?
- How do we deal with uncertainty continuum?
- Amount of water reserved vs. actual amount - what to do?
- How will we implement the savings clause?
- Transition from existing sources of new CERP sources.
- Ensure early adoption of water reservations to protect supplies for restoration of sustainable ecosystem.
- Identification of water to be reserved.
- Water reservations for the environment.
- Water allocation -- "new" water is regional system water.
- Establishing baselines.
- Establishing baseline condition – how?

- PIR must address projects that make new water and those that take water from regional system.
- ~~New water should be placed in a regional system and reserved through reservations.~~ (Incorporated into previous statement).
- ~~Quantitative water allocation should not be attempted in the Programmatic Regulations.~~ (Incorporated into first and second statement).
- ~~How can President/Governor allocate water over tribal lands (needs legal opinion)?~~

#### **B. Comments**

- *Guidance needed on amount of water to be addressed.*
- *Make sure sustainability is reflected (See GCSSF language).*
- *Miccosukee Tribe of Indians of Florida (Miccosukee) does not have a compact like the Seminole Tribe of Florida (Seminole). Make sure Tribe is included in Programmatic Regulations and following processes.*
- *More detail is needed in this area.*
- *Concern with Part 4 of Programmatic Regulations.*
- *Whatever is in Programmatic Regulations is on PIR's. Doesn't tie the hands of those working on Project Implementation Reports.*
- *Make sure all stakeholders get to discuss.*
- *Make sure consistent with goals of the plan.*
- *WRAC may need to "workshop" this particular topic.*
- *Programmatic Regulations should address PIR reservations.*
- *Need ability to feedback and loop back so PIR's don't drive the process.*
- *Can't be specific, must define the process rather than naming specific percentages and numbers.*
- *How well will this work in this state (Florida)? Put people on it that can help with that.*
- *Establish baselines – it's basic and important.*
- *Need to "workshop" this issue.*
- *"Act locally, think globally."*

#### **4. INTERIM GOALS** (May be changed as to wording)

##### **A. Issues**

- Shared Adversity.
- Regional attenuation that is fair for all users (Storage).
- Definition of shared adversity.

##### **B. Comments**

- *Make sure in the Programmatic Regulations and updated.*
- *Accountability in Programmatic Regulations.*
- *Broaden language (?)*
- *Memorandum of Understanding (MOU) with different parties to incorporate goals.*
- *Specific to process to determine goals. Separate document to express agreement.*
- *Points of view expressed for interim goals.*
  - *Interim goals, progress & performance all included in interim goals.*
  - *Process (in Programmatic Regulations), interim goals, progress & performance in another document.*
- *Substantive, measurable, quantifiable, performance measures in the interim goals and in regulations.*
- *Make accountability be enforceable.*
- *If there is an MOU and Programmatic Regulations, there needs to be agreed on at the same time.*
- *Enforceable by at least all signatories (state, federal).*

- *No interim goals in Programmatic Regulations that are specific.*
- *Work through information available before making final decisions.*

## **5. ADAPTIVE ASSESSMENT**

### **A. Issues**

- Interim goals - in regulations.
- Assurance of sufficient water for natural environment.
- Assurances to existing users must be incorporated into interim goals.
- Fundamental importance of performance goals – these should drive process goals.
- Interim goals progress vs. performance.
- Include water supply (agricultural/urban) in interim goals.
- Integrated water quality compliance into Programmatic Regulations.
- Interim goals should be achievable.
- How can performance measures be integrated into Programmatic Regulations (hydrological and/or ecological performance measures)?
- ~~Interim goals should be exercised in a separate enforcement agreement (Incorporated into previous statement).~~
- ~~Interim goals in regulation or another document (Incorporated into previous statement).~~

### **B. Comments**

- *Process for how to take new information and incorporate into decision process and into plan itself.*
- *Consistent with Water Resources Development Act (WRDA).*
- *Must be in regulations. All interested parties need to have input.*
- *Change can come in many forms: financial, scientific, etc. -- Needs to be spelled out.*
- *Performance goals important.*
- *Adaptive management in addition to assessment.*
- *Updating constantly of CERP.*
- *Provisions in regulations for when changes are necessary. When it looks like goals will not be met on time.*

## **6. Restoration Coordination and Verification Team(s) (RECOVER)**

### **A. Issues**

- Regulations should set forth process that protects the scientific integrity of RECOVER.
- Science driven public policy -- not the reverse.
- ~~How will reservations be adjusted vs. recover adaptive assessment? (Incorporated into previous statement).~~
- ~~Protecting RECOVER from Politics. (Incorporated into previous statement).~~

### **B. Comments**

- *Good science and good review outside peer review process needed!*
- *Sufficient science and sufficient integrity in the process.*
- *Science based – fact driven process.*
- *Establish the process, agree and codify it.*
- *Retain scientific integrity.*
- *RECOVER defines what CERP and WRDA should be.*
- *Should be quantifiable.*
- *Inclusive of broader group of people than the agencies currently included.*
- *Pure science or applied science? - There is a difference.*
- *Specifically spell out some independent role for RECOVER – pick its own scientific path.*

- For engineers to solve anything they need goals.
- Science not only driver of process.
- Subjective vs. objective.
- Science needs to be insulated and objective and it needs to insulate itself in making policy decisions.

**7. ~~Timing of Programmatic Regulations~~**—(This category was eliminated because it was procedural in nature.)

**A. Issues**

- ~~Allow enough time in the process.~~
- ~~Allow adequate time to develop Programmatic Regulations.~~

**C. PROGRAMMATIC REGULATIONS WORKSHOP ISSUES TABLE**

Legend – “G” = Green Dot

“R” = Red Dot

“New” = New item added to list

(A green dot meant that the issues pertained to Programmatic Regulations and would be considered for future discussion. A red dot meant the opposite. New means it was a new item.)

<b>Table 1.</b> <b>Programmatic Regulations Workshop Issues</b>			Reference #	Dot Color
<b>Intent Language</b>				
Aspirational goals in the intent section of regulations			55	G
Intent language regarding 50% of restoration by 2010			24	G
Intent language of 80% of new water to be available for natural system			51	G
<b>Amount of Detail in Programmatic Regulations</b>				
Programmatic regulations should provide guidance and consistency to CERP implementation			11	G
Programmatic regulations should outline the process involved			6	G
Scope of regulation			7	G
Accountability			59	G
Periodic review and consultation with agencies after PIR completion's.			10	G
<b>Scope, Timing of Reservation/Allocations</b>				
How to identify water for the natural system			41	G
How do we deal with uncertainty continuum?			54	G
Amount of water reserved vs. actual amount - what to do?			28	G
How will we implement the savings clause?			21	G
Transition from existing sources of new CERP sources			45	G
Ensure early adoption of water reservations to protect supplies for restoration of sustainable ecosystem			46	G
Identification of water to be reserved			34	G
Water reservations for the environment			35	G
Water allocation “new” water is regional system water			37	G
Establishing baseline condition – how?			19	G
PIR must address projects that make new water and those that take water from regional system			25	G
Quantitative water allocation should not be attempted in the regulations			36	G
How can President/Governor allocate water over tribal lands?			57	G
Establishing baselines			60	G
New water should be placed in a regional system and reserved through reservations			40	G
<b>Interim Goals</b>				
Shared adversity			3	G
Definition of shared adversity			13	G
Regional attenuation that is fair for all users			30	G
<b>Adaptive Assessment</b>				
Interim goals - in regulations			5	G
Assurances of sufficient water for the natural environment				new
Assurances to existing users must be incorporated into interim goals			23	
Fundamental importance of performance goals – these should drive process goals.			15	G
Interim goals progress vs. Performance			17	G
Including water supply (agricultural/urban) in interim goals			29	G
Integrated water quality compliance into Programmatic Regulations			49	G
Interim goals should be achievable				new

Interim goals in pro regulations or another document	52	G
How can performance measures be integrated into programmatic regulations (hydrological or ecological performance measures)?	20	G
Interim goals should be exercised in a separate enforcement agreement	8	G
Protection of projects-3 Prong, financial, cost/benefit, water budget	4	
<b>RECOVER</b>		
Regulations should set forth process that protects the scientific integrity of RECOVER	16	G
Protecting RECOVER from Politics	2	G
Science driven public policy - not the reverse	9	G
Process for identifying alternative projects if new information provides better options	61	
Adaptive assessment has never been done successfully-how are we going to do it in CERP?	14	G
How will reservations be adjusted vs. recover adaptive assessment?	12	G
Provision for integration of outside science review process into CERP adaptive assessment	22	G
<b>Timing of Programmatic Regulations</b>		
Allow enough time in the process (include 2 <sup>nd</sup> comment period)	53	G
Allow adequate time to develop pro regulations – (2 <sup>nd</sup> comment period)	58	G
<b>Received Green and Red Dots/ Not Included</b>		
Detailing state reserved water rights with the CERP process	26	G/R
Performance goals in the regulations	1	G/R
Affordability in balance with natural system	18	G/R
Can public potable water supply be #1 secured reservation?	32	G/R
Process to ensure balance of existing urban population demand	42	G/R
How Consumptive Use Permits (CUPs) will or will not be issued in consideration of CERP Projects	43	G/R
How can a water allocation be made through PIR – unless all users of water are a party to the agreement?	44	G/R
Water quality issues for public water supply by lake communities	47	G/R
Provisions for potential but unused consumption	48	G/R
Tie of water supply plans with/to future land use	50	G/R
Definition of “Consumptive Use”	56	G/R
<b>Red Dots/Not Discussed</b>		
Method of allocation - shared adversity/shared?	27	R
Maintain a restoration plan vs. a water supply plan	31	R
Understanding of Lake Okeechobee as a back-up water supply	33	R
Assurance of sufficient water for natural environment	39	R
Prioritize supplemental storage areas for Lake Okeechobee	62	R
How to identify users that are already damaging natural systems	38	R

#### **D. THE PROGRAMMATIC REGULATIONS FACILITATION PROCESS**

**STEP 1** - A brainstorming session initiated the session. Members were asked write on strips of paper the issues they thought needed to be incorporated into the Programmatic Regulations (one issue per strip). The pieces of paper were posted on boards located in the front of the room. The following issues were listed during brainstorming session:

1. Performance goals in the regulations.
2. Protecting RECOVER from Politics.
3. Definition of shared adversity.
4. Protection of projects-3 Prong, financial, cost/benefit, water budget.
5. Interim goals - in regulations.
6. Programmatic Regulations should outline the process involved.
7. Scope of regulation.
8. Interim goals should be exercised in a separate enforcement agreement.
9. Science driven public policy - not the reverse.
10. Periodic review and consultation with agencies after PIR completion.
11. Programmatic Regulations should provide guidance and consistency to CERP implementation.
12. How will reservations be adjusted vs. recover adaptive assessment?
13. Definition - shared adversity.
14. Adaptive assessment has never been done successfully-how are we going to do it in CERP?

15. Fundamental importance of performance goals – these should drive process goals.
16. Regulations should set forth process that protects the scientific integrity of RECOVER.
17. Interim goals progress vs. performance.
18. Affordability in balance with natural system.
19. Establishing baseline condition – how?
20. How can performance measures be integrated into Programmatic Regulations (hydrological or ecological performance measures)?
21. How will we implement the savings clause?
22. Provision for integration of outside science review process into CERP adaptive assessment.
23. Assurances to existing users must be incorporated into interim goals.
24. Intent language regarding 50% of restoration by 2010.
25. PIR must address projects that make new water and those that take water from regional system.
26. Detailing state reserved water rights with the CERP process.
27. Method of allocation - shared adversity/shared?
28. Amount of water reserved vs. actual amount - what to do?
29. Including water supply (agricultural/urban) in interim goals.
30. Regional attenuation that is fair for all users.
31. Maintain a restoration plan vs. a water supply plan.
32. Can public potable water supply be #1 secured reservation?
33. Understanding of Lake Okeechobee as a back-up water supply.
34. Identification of water to be reserved.
35. Water reservations for the environment.
36. Quantitative water allocation should not be attempted in the regulations.
37. Water allocation “new” water is regional system water.
38. How to identify users that are already damaging natural systems.
39. Assurance of sufficient water for natural environment.
40. New water should be placed in a regional system and reserved through reservations.
41. How to identify water for the natural system.
42. Process to ensure balance of existing urban population demands for water.
43. How Consumptive Use Permits (CUPs) will or will not be issued in consideration of CERP Projects.
44. How can a water allocation be made through PIR – unless all users of water are a party to the agreement?
45. Transition from existing sources of new CERP sources.
46. Ensure early adoption of water reservations to protect supplies for restoration of sustainable ecosystem.
47. Water quality issues for public water supply by surrounding Lake Okeechobee communities.
48. Provisions for potential but unused consumption.
49. Integrated water quality compliance into pro regulations.
50. Tie water supply plans with or to future land use.
51. Intent language of 80% of new water to be available for natural system.
52. Interim goals in pro regulations or another document.
53. Allow enough time in the process (include 2<sup>nd</sup> comment period).
54. How do we deal with uncertainty continuum?
55. Aspirational goals in the intent section of regulations.
56. Definition of “Consumptive Use”.
57. How can President/Governor allocate water over tribal lands?
58. Allow adequate time to develop pro regulations – (2<sup>nd</sup> comment period).
59. Accountability.
60. Establishing baselines.
61. Process for identifying alternative projects if new information provides better options.

62. Prioritize supplemental storage areas for Lake Okeechobee.

**STEP 2** - Members were given green and red dots to identify which issues they thought needed to be included as part of future WRAC discussions on Programmatic Regulations. No attempt was made to combine similar issues identified by WRAC members to ensure that all of the issues would be considered as offered. A green dot meant that the issues pertained to Programmatic Regulations and would be considered for future discussion. A red dot meant the opposite.

**STEP 3** - The following issues were not included for further discussion because they received only red dots. A decision was made to not discuss them at this time.

- #27 Method of allocation - shared adversity/shared?
- #31 Maintain a restoration plan vs. a water supply plan.
- #33 Understanding of Lake Okeechobee as a back-up water supply.
- #39 Assurance of sufficient water for natural environment.
- #62 Prioritize supplemental storage areas for Lake Okeechobee.

**STEP 4** - These issues received both red & green dots. Some discussion was held but no agreement was sought.

- #1 Performance goals in the Programmatic Regulations.
- #18 Affordability in balance with natural system.
- #26 Detailing state reserved water rights with the CERP process.
- #32 Can public potable water supply be #1 secured reservation?
- #42 Process to ensure balance of existing urban population demand.
- #43 How Consumptive Use Permits (CUPs) will or will not be issued in consideration of CERP Projects.
- #44 How can a water allocation be made through PIR? – unless all users of water are a party to the agreement?
- #47 Water quality issues for public water supply to surrounding Lake Okeechobee communities.
- #48 Provisions for potential but unused consumption.
- #50 Tie of water supply plans with/to future land use.
- #56 Definition of Consumptive Use.

**STEP 5** – The remaining Issues (*All of the issues received green dots*) were combined into the following categories:

### 1. Intent Language

- Aspirational goals in the intent section of regulations. #55 (The following were used as examples of aspirational goals and do not reflect the consensus of the group):
  - Intent language of 80% of new water to be available for natural system. #51
  - Intent language regarding 50% of restoration by 2010. #24

### 2. Scope and Timing of Reservation/Allocation

- How to identify water for the natural system. #41
- How do we deal with uncertainty continuum? #54
- Amount of water reserved vs. actual amount- what to do? #28
- How will we implement the savings clause? #21
- Transition from existing sources of new CERP sources. #45



- Ensure early adoption of water reservations to protect supplies for restoration of sustainable ecosystem. #46
  - Identification of water to be reserved. #34
  - Water reservations for the environment. #35
  - ~~Quantitative water allocation should not be attempted in the regulations. # 36~~
  - ~~How can President/Governor allocate water over tribal lands? #57 ( needs legal opinion)~~
- 3. Interim Goals** *(May be changed as to wording)*
- Shared Adversity. #3
  - Regional attenuation that is fair for all users (Storage). #30
  - Definition of shared adversity. #13
- 4. Adaptive Assessment**
- Interim goals - in regulations. #5
  - Assurance of sufficient water for natural environment. # new
  - Assurances to existing users must be incorporated into interim goals. #23
  - Fundamental importance of performance goals – these should drive process goals. #15
  - Interim goals progress vs. performance. #17
  - Including water supply (agricultural/urban) in interim goals. #29
  - Integrated water quality compliance into Programmatic Regulations. #49
  - Interim goals should be achievable. # new
  - How can performance measures be integrated into Programmatic Regulations (hydrological and/or ecological performance measures)? #20
  - ~~Interim goals should be exercised in a separate enforcement agreement. #8~~
  - ~~Interim goals in regulation or another document. #52~~
- 5. Regional Water** *(These issues were incorporated to Scope and Timing of Reservations/Allocations Section)*
- Water allocation “new” water is regional system water. #37
  - Establishing baselines. #60
  - Establishing baseline condition - how. #19
  - PIR must address projects that make new water and those that take water from regional system. #25
  - ~~New water should be placed in a regional system and reserved through reservations. #40~~
- 6. Restoration, Coordination and Verification Team(s) (RECOVER)**
- Regulations should set forth process that protects the scientific integrity of RECOVER. #16
  - Science driven public policy not the reverse. #9
  - ~~How will reservations be adjusted vs. recover adaptive assessment? #12~~
  - ~~Protecting RECOVER from Politics. #2~~
  - ~~Adaptive assessment has never been done successfully-how are we going to do it in CERP? #14~~
  - ~~Provision for integration of outside science review process into CERP adaptive assessment. #22~~
- 7. Amount of Detail In Programmatic Regulations**
- Programmatic Regulations should provide guidance & consistency to CERP implementation. #11
  - Programmatic Regulations should outline the process involved.#6
  - Scope of regulation. #7

- Accountability. #59
- Periodic review and consultation with agencies after PIR completions. #10

**~~8. Timing of Programmatic Regulations~~** *(This category was eliminated because they were procedural in nature.)*

- ~~• Allow enough time in the process. #53~~
- ~~• Allow adequate time to develop Programmatic Regulations. #58~~

**STEP 6** - After the groupings were created members got an opportunity to comment on the issues listed for future discussion.

**Interim Goals**

- Make sure they are in the Programmatic Regulations and are updated.
- Accountability in Programmatic Regulations.
- Broaden language (?)
- Memorandum of Understanding (MOU) with different parties to incorporate goals.
- Specific to process to determine goals. Separate document to express agreement.
- Points of views expressed for interim goals.
  - Interim goals, progress & performance all included in Programmatic Regulations.
  - Process (in Programmatic Regulations), Interim goals, progress & performance in another document.
- Substantive, measurable, quantifiable, performance measures and in regulations.
- Make accountability be enforceable.
- If MOU/ Programmatic Regulations be agreed at the same time.
- Enforceable by at least all signatories (state & federal).
- No interim goals in Programmatic Regulations that are specific.
- Work through information available before making final decisions.

**Adaptive Assessment**

- Process for how to take new information and incorporate into decision process into plan itself.
- Consistent with WRDA.
- Must be in regulations. All interested parties need to have input.
- Change can come in many forms: financial, scientific, etc. -- Needs to be spelled out.
- Performance goals important.
- Adaptive management in addition to assessment.
- Updating constantly of CERP.
- Provisions in regulations when changes necessary – when it looks like goals will not be met on time.

**Intent Language**

- Define what “new” water means under section of Intent Language.
- Include aspirational goals. Reason: Congress expects. (How can you get somewhere if you don’t know where you’re going?)
- Need a binding document for multi-stakeholders to express aspirational goals.
- Intent of regulation important.
- Intent should be restoration of ecosystem.
- Uncomfortable with specific numbers.
- Clear outcome intent language. One option is MOU instead of 63 agreements.
- This area needs more fleshing out. Continue with the entire commission.

- Read over GCSSF document/intent language.

### **Scope and Timing of Reservations/Allocation**

- Guidance needed on amount of water to be addressed.
- Make sure sustainability is reflected (See GCSSF language).
- Miccosukee Tribe of Indians of Florida (Miccosukee) does not have a compact like the Seminole Tribe of Florida (Seminole). Make sure Tribe is included in Programmatic Regulations and following processes.
- More detail is needed in this area.
- Concern with Part 4 of in Programmatic Regulations.
- Whatever is in Programmatic Regulations or on PIR's, doesn't tie the hands of those working on Project Implementation Reports.
- Make sure all stakeholders get to discuss.
- Make sure consistent with goals of plan.
- WRAC may need to "workshop" this particular topic.
- in Programmatic Regulations should address PIR reservations.
- Need ability to feedback and loop back so PIR's don't drive the process.
- Can't be specific, must define the process rather than naming specific percentages and numbers.
- How well will this work in this State? Put people on it that can help with that.

### **Shared Adversity** (Comments added to the Intent Language Comments Section)

- Shared Adversity will probably get played out in operations realm.
- Put existing items on board in Programmatic Regulations.
- Programmatic Regulations establishes a requirement that issues of shared adversity be defined for any give event.
- Reservation/allocation are one and the same with shared adversity.
- Would quantities of water be further refined/defined as you go along?
- Addressed at Reservations & PIR.
- GCSSF (2<sup>nd</sup> page) – Make sure whatever is decided on shared adversity is implemented.
- Should show up in operation manuals.

### **Amount of Detail in Programmatic Regulations**

- "Periodic review in consultation with ...." Cuts across to all other categories.
- Programmatic Regulations should guide process and should be consistent
- Process is required – be specific.
- Where do we want to be in 35-40 years?
  - As inclusive as possible now.
  - Don't shy away from specificity.
- Outline process with accountability built in.
- Part 4 outlines amount of detail, but need to add feedback.
- What is process for any portion – give enough detail so that can be answered! (Process establishment to ensure natural system.) Look at document itself.
- Part 3A of WRDA – doesn't talk about "process", talks about specifics. Performance goals not just a process.

### **Restoration, Coordination and Verification team(s) RECOVER**

- Good science and good review outside peer review process.
- Sufficient science and sufficient integrity in the process.
- Science based – fact driven process.

- Establish the process, agree and codify it.
- Retain scientific integrity.
- RECOVER defines what CERP and WRDA should be.
- Should be quantifiable.
- Hear of the whole network of this planning, etc.
- Inclusive of broader group of people than the agencies currently included.
- Pure science or applied science? - There is a difference.
- Specifically spell out some independent role for RECOVER – pick its own scientific path.
- For engineers to solve anything they need goals.
- Science not only driver of process.
- Subjective vs. objective.
- Science needs to be insulated and objective and it needs to insulate itself in making policy decisions.

**Regional Water** *(These comments were incorporated to Scope and timing of Reservations/Allocations)*

- Establish baselines - is basic and important.
- Need to “workshop” this issue.
- “Act locally, think globally.”

**E. WORKSHOP ATTENDANCE**

**Members:**

Ernie Barnett  
Mike Bauer  
Doug Bournique  
Michael Collins  
Harry Cronin  
Michael Davis  
Carolyn Dekle  
Dennis Duke  
Shannon Estenoz  
Kevin Henderson  
Anthony Hui  
Barbara Miedema  
Jack Moller  
Charles Pattison  
Carol Rist

Mark Robson  
Stuart Strahl  
Michelle Thomas  
Malcolm Wade  
Libbey Webb  
Howard Wegis

**Alternates**

Kelly Brooks (for D. Lehtinen)  
Walter Carson (for M. Reitmann)  
Truman Duncan (for D. Lehtinen)  
Tere Garcia (for L. Ajamil)  
Ken Todd (for W. Newell)

JF/pm  
Attachment - Minutes